



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Korb et al.

Confirmation No.: 6037

Application No.: 09/503,037

Group Art Unit: 2143

Filed: February 11, 2000

Examiner: Joseph E. Avellino

For: METHOD OF AND SYSTEM FOR
TRANSFERRING DATA OVER A
WIRELESS COMMUNICATIONS
NETWORK

Attorney Docket No.: 84582.4100

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, JOSEPH KORB, JESSE ODOM, and DAVID REIN do declare that:

1. We are the inventors of the invention described in the above-identified patent application.
2. We were employed and involved in the development of a new technology at GoAmerica, Inc. for transferring data from the Internet to wireless devices. The new technology was first named Flying Portals, and subsequently renamed AirServ, AirClip, and finally, Go.Web in that sequence.
3. Exhibit A is a copy of the "Flying Portals Tech Spec" ("Specification"), which is a specification for implementing the new technology for GoAmerica. The Specification was prepared before October 4, 1999, under our direction and or supervision.
4. Exhibit B is a copy of the "Airserv Information System Non-Technical Project Plan" ("Plan"), which is a project plan and provided further system details of the new technology under development for GoAmerica. The Plan was prepared before October 4, 1999, under our direction and or supervision.

5. Exhibit C is a copy of the header from the Airclip.dll file ("Software"), which is software implemented on wireless devices to implement the new technology for GoAmerica. The Software was implemented and was operable before October 4, 1999, under our direction and or supervision.

6. Exhibit D is a copy of a press release for Go.Web ("Press Release") dated February 8, 1999 that states that beta testing of the new technology was to conclude at the end of March 1999.

7. The Go.Web technology was released as a commercial product and services were provided to subscribers before October 4, 1999.

8. In particular, Exhibits A through D disclose technology that corresponds to examples in the patent application, and which falls within the scope of the independent claims 52 and 60 of this application. This information demonstrates that conception and actual reduction to practice of the invention was achieved before October 4, 1999, which is the U.S. filing date of U.S. Patent No. 6,674,767 to Kadyk et al. ("Kadyk") used in one rejection in the Office Action dated May 12, 2005.

9. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon.

Dated: 1/11/06



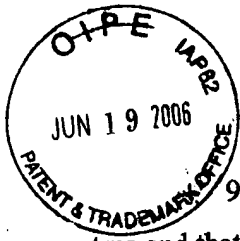
Joseph Korb

Dated: _____

Jesse Odom

Dated: _____

David Rein



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Dated: _____

Joseph Korb

Dated: 1/3/2006

Jesse Odom

Dated: _____

David Rein



9. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and any patent issuing thereon.

Dated: _____

Joseph Korb

Dated: _____

Jesse Odom

Dated: 12/30/05



David Rein

EXHIBIT A

Flying Portals Tech Spec

Flying Portals Transactional Server.....	1
Initiation of Service.....	1

SPECIFICATION MAP - CLIENT AND SERVER SIDE

1. Initial service description

2. Flow of events

a. Initial Client Contact

2.1 Network Choice Use Case

2.2 Content Partner Use Case

2.3 Device ID Use Case

b. Parsing News@Hand Tags and Creating the MetaPage

2.4 Parse Header Use Case

2.5 Parse Elements Use Case

c. Converting MetaPage to DisplayText

2.6 Meta Display Use Case

d. Client Input/Interface

2.7 Interface Use Case

e. Server Processes Client Request

2.8 Fulfillment Use Case

3. Relationships

3.1 Flying Portals Transaction Server

3.2 GoAmerica Service Center

3.3 Quick Connect

3.4 Client Preferences Profile Database

3.5 Client e-commerce Profile Database

3.6 Advertising and Marketing Front-End

4. Pre-Conditions

5. Post-Conditions

Flying Portals Transaction Server - An Overview

The Flying Portals Transactional Server functions as a unique “reader” of News@Hand markup language supported by the GoAmerica Communications Service Center. News@Hand is a mark-up language which tags existing internet content such as Yahoo news, stock quotes, and sports, or other internet content as available, such as Infoseek or Excite. The News@Hand code embeds directly into the HTML code of existing web content. These News@Hand tags do not interfere with the look of the internet web page, nor do they conflict with either Microsoft IE or Netscape Navigator’s presentation of the web page. However, to the Flying Portals Transactional Server, the News@Hand code is picked up and utilized to display specific web content in several different wireless device formats (e.g., cell phone, interactive pager, and palm-size pc’s).

For example, the Yahoo home page could use News@hand markup language to mark up links to other menus and headlines linking to the full text of a news item. Then, when a wireless device requests the page, the Flying Portals server parses only the News@Hand code, compiles and displays the page in a format designed by Flying Portals, Inc. to fit the screen size and functionality of the device. A cellular phone, with a limited screen display, would display only menu choices. An interactive pager displays headlines and menu choices. The PalmPilot™ screen is large enough to display menus, headlines, time, date, and perhaps a user-friendly search box.

Initiation of Service

The News@Hand language is provided free of charge with the purchase of any interactive pager, smart phone, or palm-size PC. At the time of a device purchase, the client chooses a network service provider, such as BellSouth, BellAtlantic, or AT&T. Flying Portals Inc. has agreements with the aforesaid network service providers and device manufacturers to provide this free value-added service. The client then chooses a provider for its web access, such as Yahoo! lite or Infoseek lite. When the device is activated with the network service provider, the client will then be asked to choose preferences for free web-access. The preferences include such choices as News, Stock quotes, Sports, Horoscope, etc. The News@Hand language distinguishes preferences as one of 5 elements; Topics, Menu, Headlines, Text, and Table. These preferences are recorded by the Flying Portals Transaction Server as News@Hand language. The Transaction Server then parses the information according to the client specification, creates a MetaPage of sorted content, converts the MetaPage to DisplayText for the specified client-side device, and sends the content wirelessly to the client.

2. Flow of events

a. Initial Client Contact (Client-side)

This use case begins when a client activates service. Initial choice of network service provider is completed on the client side via the Network Choice Use Case (2.1). Following the Network Choice, the client then chooses the Internet content provider (ie., Yahoo!Lite, Excite lite, etc.) via the Content Partner Use Case (2.2) with two possible scenarios as described below. This preference is logged by the Flying Portals Transaction Server at the GoAmerica service center. The client then identifies the type of hand-held device via the Device ID Use Case (2.3). Depending upon what type of device, the client will navigate to the desired topic.

b. Parsing News@Hand Tags and Creating the MetaPage (Server-side)

This use case begins when service activation is complete. The Flying Portals Transaction Server, utilizing software which recognizes the News@Hand Tags embedded in pre-existing web pages, parses Headers from the tagged content by the Parse Header Use Case (2.4). The Server then parses the content elements, defined as Topics, Menus, Headlines, Text, and Table in the Parse Elements Use Case (2.5).

c. Converting MetaPage to DisplayText (Server-side)

The Flying Portals Transaction Server compiles the Elements into a MetaPage via the Meta Display Use Case (2.6). The MetaPage is then converted via Flying Portals software to shrunken and sized format called DisplayText, a device-specific client-side viewing format.

d. Client Input/Interface (Client-side)

Client navigates through DisplayText and chooses content to view via the Interface Use Case (2.7).

e. Server Processes the Client Request (Server-side)

Server parses information requested by client via the Fulfillment Use Case (2.8).

2.1 Network Choice Use Case

Client initiates the wireless service by choosing a network service provider such BellSouth, BellAtlantic, or AT&T. The device is activated and automatically connected to the Flying Portals Transaction Server.

2.2. Content Partner Use Case

Client chooses a single content partner, such as Yahoo!Lite, Excite Lite, etc.

2.2.1 As alternate scenario, device opens automatically with Flying Portals welcome screen, Flying Portals.Net, with interface forms for client preferences.

2.3 Device ID Use Case

Client identifies the type of hand-held device used, including brand and model. Indicated preferences saved in Transaction Server client preferences database.

2.4 Parse Header Use Case

Transaction Server parses headers as indicated by client preferences using News@Hand software.

2.5 Parse Elements Use Case

2.5.1 Transaction Server parses the Elements defined as TOPICS by News@Hand embedded tags.

2.5.2 Transaction Server parses the Elements defined as MENUS by News@Hand embedded tags.

2.5.3 Transaction Server parses the Elements defined as HEADLINES by News@Hand embedded tags.

2.5.4 Transaction Server parses the Elements defined as TEXT by News@Hand embedded tags.

2.5.5 Transaction Server parses the Elements defined as TABLES by News@Hand embedded tags.

2.5.5.1 Among the Element TABLES, the Transaction server parses further subcategories as per customer preferences, such as Quotes, Weather, Sports, and Horoscope.

2.6 Meta Display Use Case

The Flying Portals Transaction Server, supported by the GoAmerica service center, compiles parsed Elements and subcategories into a single MetaPage, a digital template for the client side content viewer. The Transaction Server converts the MetaPage to a shrunken and sized format called DisplayText, a device-specific client-side viewing format.

2.7 Interface Use Case

Client navigates through the headers, menus, and tables provided by DisplayText view. Client chooses a specific content area by navigation and selection.

2.8 Fulfillment Use Case

Transaction server processes client-side content choice. Server parses said content via software recognition of News@Hand tags embedded in pre-existing content provider code.

3. Relationships

3.1 Flying Portals Transaction Server

3.2 GoAmerica Service Center

3.3 QuickConnect

3.4 Client Preferences Profiles Database

3.5 Client e-commerce Profiles Database

3.6 Advertising/Marketing Front End

EXHIBIT B

AirServ Information System Non-Technical Project Plan
Version 1.0
August 21, 1998

Quick Access to Key Points

- I. What is the AirServ Information System
- II. Who's Who @ AIS Development Team
- III. Problems we will be addressing
- IV. How we will address problems
- V. Purpose of our strategy
- VI. Feasibility Analysis
- VII. How to contact us
- VIII. Revision History

I. What is the AirServ Information System

AirServ Information System (AIS) is a Client/Server Information delivery system. AIS will "scrape" data from the internet and deliver it to a wireless data terminal, and it will receive data from 2-way capable wireless data terminals and deliver it back to the Internet.

II. Who's Who @ the AIS Development Team

Jesse Odom Project Manager

Jesse is the cohesive force that keeps AIS together. He is responsible for ensuring that all phases of the Project life cycle are met quickly and without disruption. He will oversee key milestones in the project life cycle and he will set the project schedule for the project team. Jesse will also serve as the model architect and project analyst responsible for taking the proposed ideas and developing models of the system. Jesse will be working closely with the entire team to ensure that the model addresses the proposed function of the AIS system.

David Eylean Developer and Programmer

David is the brawn of our system development cycle. He oversees and develops the overall information system according to the project model. David works directly with Jesse to see the project to a successful conclusion.

Idunno Hu Technical Writer

Idunno Hu is the brains behind AIS. He is responsible for the conveying AIS's ideas on paper. His skills make AIS look as good on paper as we do in the field.

Menotno Hu Quality Assurance Manager

Menotno is the man who puts on the finishing touches. He is responsible for debugging both the client and server platforms making sure all model requirements have been met and the software is performing properly. Proofreading every word generated by AIS, dotting every i crossing every t.

III. Problems we will be addressing

The currently foreseeable problems that we will address include:

- The need to have quick reliable access to internet information on small mobile wireless devices
- Scraping information from prominent portal sites on the WWW
- Simple and elegant information delivery and retrieval to and from devices with limited display real estate
- Deliver relevant advertising based on customer profiles and current location.

IV. How we will address problems

Our plan is to maintain a centralized database of subscriber configurations entered by each subscriber via a personal profile web page. AIS will access the information contained within the database. Based on the users profile AIS will deliver pre-parsed information from 5 main categories (TBD). Data will be formatted based on the client device being used. Information such as current location, and profile preferences will determine advertising delivered with the users preferred content.

V. Purpose of our strategy

The purpose of our centralized database is to eliminate the amount of dynamic request and retrieval to and from the internet. The mobile device will give simple access to strategic points of information and upon request, deliver it to the end user from a frequently updated database. Custom data formatting by device will allow us to send the richest content possible to the end user device.

VI. Feasibility Analysis

As part of our feasibility analysis we counted all the functions in the system and drafted the following chart:

Description	Simple	Average	Complex	Total
External Inputs	1 X 3 = 3	1 X 4 = 4	3 X 6 = 18	25
External Outputs	4 X 4 = 16	3 X 5 = 15	1 X 7 = 7	38
External Inquiries	0 X 3 = 0	2 X 4 = 8	1 X 6 = 6	14
Internal Files	4 X 7 = 28	0 X 10 = 0	0 X 15 = 0	28
External Interfaces	0 X 5 = 0	2 X 7 = 14	1 X 10 = 10	24
Function Count (unadjusted)	= FC = 129			

And then tested the processing complexity with in following table:

Characteristic	Influence
Data Communications	4
Distributed Functions	2
Performance	3
Heavily Used Configuration	1
Transaction Rate	3
On-Line Data Entry	4
End User Efficiency	4

On-Line Update 3
Complex Processing 1
Reusability 0
Installation Ease 3
Operational Ease 5
Multiple Sites 5
Facilitate Change 2
Total Processing Complexity Adjustment = PC = 40
Processing Complexity Adjustment = PCA = $0.65 + (0.01 \times PC) = 1.05$
Total Adjusted Function Points = FP = FC x PCA = 135.45

We estimate that it will take approximately 12 work hours to accommodate each adjusted function points.
Making our estimated time to develop approximately 1625 working hours.

VII. How to contact us

If you have any questions or comments regarding this plan and/or site please email us at:

ais@airserv.net

VIII. Revision History

Version 1.0 - 1998-Aug-20 - Original Draft

Page Last Modified: November 11, 2005

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EXHIBIT C

DYNAMIC LINK LIBRARY

32bit for Windows 95 and Windows NT

Technical File Information:

Image File Header

Signature: 00004550
Machine: Intel 386
Number of Sections: 0005
Time Date Stamp: 3635af98
Symbols Pointer: 00000000
Number of Symbols: 00000000
Size of Optional Header: 00e0
Characteristics: File is executable (i.e. no unresolved external references).
Line numbers stripped from file.
Local symbols stripped from file.
32 bit word machine.
File is a DLL.

Image Optional Header

Magic: 010b
Linker Version: 5.11
Size of Code: 00005200
Size of Initialized Data: 00001600
Size of Uninitialized Data: 00000000
Address of Entry Point: 00001000
Base of Code: 00001000
Base of Data: 00007000
Image Base: 10000000
Section Alignment: 00001000
File Alignment: 00000200
Operating System Version: 4.00
Image Version: 0.00
Subsystem Version: 4.00
Reserved1: 00000000
Size of Image: 0000b000
Size of Headers: 00000400
Checksum: 00000000
Subsystem: Image runs in the Windows character subsystem.
DLL Characteristics: 0000
Size of Stack Reserve: 00100000
Size of Stack Commit: 00001000
Size of Heap Reserve: 00100000
Size of Heap Commit: 00001000
Loader Flags: 00000000
Size of Data Directory: 00000010
Export Directory Virtual Address: 00009000
Export Directory Size: 000000ec
Import Directory Virtual Address: 00007970
Import Directory Size: 0000003c

Base Relocation Table
 Virtual Address: 0000a000
 Base Relocation Table Size: 000002d4

Export Table

Name: AirClip.dll
 Characteristics: 00000000
 Time Date Stamp: 3635af97
 Version: 0.00
 Base: 00000001
 Number of Functions: 00000005
 Number of Names: 00000005

<u>Ordinal</u>	<u>Entry Point</u>	<u>Name</u>
0000	000010e0	??0LinkedListEntry@@QAE@ABV0@@@Z
0001	00001150	??4LinkedList@@QAEAAV0@ABV0@@@Z
0002	00001120	??4LinkedListEntry@@QAEAAV0@ABV0@@@Z
0003	00007850	??_7LinkedListEntry@@6B@
0004	00008000	RimHeader

Import Table

PAGER950.EXE

<u>Ordinal</u>	<u>Function Name</u>
004d	RadioGetMpak
007f	RimTaskYield
005d	RimFree
006d	RimMalloc
0000	??2@YAPAXI@Z
0050	RadioRegister
0001	??3@YAXPAX@Z
0068	RimGetTicks
0015	DbDelete
002d	LcdClearDisplay
0017	DbFileClose
001a	DbFileRead
0072	RimRealloc
0019	DbFileOpen
0022	DbGetHandle
0065	RimGetMessage
0036	LcdGetCharacterWidth
0034	LcdDrawLine
003e	LcdGetStringWidth
0033	LcdDrawBox
002e	LcdClearToEndOfLine
0040	LcdPutStringXY
007c	RimSetTimer
002f	LcdCopyBitmapToDisplay
003b	LcdGetFontHeight
0035	LcdForceRefresh
0038	LcdGetCurrentFont

0061	RimGetCurrentTaskID
0063	RimGetForegroundApp
0073	RimRequestForeground
006c	RimKillTimer
0056	RimAlertNotify
0069	RimHolsterStatus
004a	RadioCancelSendMpak
001b	DbFileSeek
001d	DbFileWrite
004e	RadioGetSignalLevel
007e	RimSprintf
0053	RadioSendMpak
004c	RadioGetDetailedInfo
0080	RimTerminateThread

UI32.dll

<u>Ordinal</u>	<u>Function Name</u>
----------------	----------------------

Section Table

Section name:	.text
Virtual Size:	00005168
Virtual Address:	00001000
Size of raw data:	00005200
Pointer to Raw Data:	00000400
Pointer to Relocations:	00000000
Pointer to Line Numbers:	00000000
Number of Relocations:	0000
Number of Line Numbers:	0000
Characteristics:	Section contains code Section is executable Section is readable

Section name:	.data
Virtual Size:	00000dd0
Virtual Address:	00007000
Size of raw data:	00000e00
Pointer to Raw Data:	00005600
Pointer to Relocations:	00000000
Pointer to Line Numbers:	00000000
Number of Relocations:	0000
Number of Line Numbers:	0000
Characteristics:	Section contains initialized data Section is readable Section is writeable

Section name:	.version□
Virtual Size:	00000018
Virtual Address:	00008000

Size of raw data: 00000200
Pointer to Raw Data: 00006400
Pointer to Relocations: 00000000
Pointer to Line Numbers: 00000000
Number of Relocations: 0000
Number of Line Numbers: 0000
Characteristics: Section contains initialized data
Section is readable
Section is writeable

Section name: edata
Virtual Size: 000000ec
Virtual Address: 00009000
Size of raw data: 00000200
Pointer to Raw Data: 00006600
Pointer to Relocations: 00000000
Pointer to Line Numbers: 00000000
Number of Relocations: 0000
Number of Line Numbers: 0000
Characteristics: Section contains initialized data
Section is readable

Section name: .reloc
Virtual Size: 00000316
Virtual Address: 0000a000
Size of raw data: 00000400
Pointer to Raw Data: 00006800
Pointer to Relocations: 00000000
Pointer to Line Numbers: 00000000
Number of Relocations: 0000
Number of Line Numbers: 0000
Characteristics: Section contains initialized data
Section can be discarded
Section is readable

Header Information

Signature: 5a4d
Last Page Size: 0090
Total Pages in File: 0003
Relocation Items: 0000
Paragraphs in Header: 0004
Minimum Extra Paragraphs: 0000
Maximum Extra Paragraphs: ffff
Initial Stack Segment: 0000
Initial Stack Pointer: 00b8
Complemented Checksum: 0000
Initial Instruction Pointer: 0000
Initial Code Segment: 0000
Relocation Table Offset: 0040
Overlay Number: 0000

Reserved: 0000 0000 0000 0000
0000 0000 0000 0000
0000 0000 0000 0000
0000 0000 0000 0000

Offset to New Header: 000000c8

Memory Needed: 2K

EXHIBIT D

Media Center

GoAmerica First to Offer Wireless Paging, Email and Web Access on Single Device

Addition of Web Content Is Last Step Before Offering Secure Online Transactions

NEW ORLEANS, February 8, 1999 -

GoAmerica Communications Corp., the nation's leading wireless Internet service and content provider, today announced at CTIA Wireless '99 its newest service feature that instantly brings Web information to mobile professionals through a single, handheld device. Using the Inter@ctive™ Pager 950 from Research In Motion (NASDAQ: RIMM) (TSE: RIM), GoAmerica subscribers can access personalized content, such as stock, news, travel, sports and weather updates, through the Go.Web™ service. "By adding Web content to our existing E-mail and industry-specific enterprise applications, we have significantly expanded the value of our subscribers' wireless experience," said Aaron Dobrinsky, president and chief executive officer of GoAmerica Communications Corp. "We have plans to adapt the Go.Web service for other mobile devices, but our next strategic step will be making electronic commerce a reality for mobile professionals."

"Projections for the year 2001 indicate that potentially 21.3 million people in the U.S. will be using wireless or mobile communications devices," said Andrew Seybold of The Andrew Seybold Group. "GoAmerica's clear understanding of that market and its time-sensitive needs will enable a smooth transition from Web content to portable e-commerce."

"Fast access to high-value, time-sensitive information is increasingly important to mobile users working away from their offices. The RIM Inter@ctive Pager meets users' two-way wireless needs with a convenient keyboard, wearable form factor and continuous wireless network connection," said David Werezak, vice president of marketing at Research In Motion. "GoAmerica's ability to aggregate key information resources with its powerful wireless network service delivers the kind of information access solution that our customers are demanding."

Beta testing of GoAmerica's new Go.Web service will conclude at the end of March 1999. Pricing will begin at \$9.95. To subscribe, contact GoAmerica at (888)462-4600 or www.goamerica.net. For a live demonstration, visit GoAmerica at CTIA in the Microsoft (NASDAQ: MSFT) pavilion (# 6623) or SmartServ Online (NASDAQ: SSOL) in Wireless Data Forum's Competitive Edge pavilion (# 6413-4) February 8-10, 1999.

For more information, contact:

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